APPENDIX A

Petitioner, Rosario Palermo, incorporates by reference as Appendix A, Appendix A as filed by Petitioner Joseph D. Lazzara.

APPENDIX B

Petitioner, Rosario Palermo, incorporates by reference as Appendix B, Appendix D as filed by Petitioner, Joseph D. Lazzara.

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 1981

No. 81-5865

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SUPREME COURT, U.S.

ROSARIO PALERMO,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent,

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

C. Steven Yerrid
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(813) 223-1621

Counsel for Petitioner

IN THE SUPREME COURT OF THE UNITED STATES

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ON PETITION FOR WRIT OF
CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE FIFTH CIRCUIT

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

Petitioner Rosario Palermo moves this Court for an order permitting him to proceed in this Court, in forma pauperis, with his Petition for Writ of Certiorari to review the decision of the Fifth Circuit Court of Appeals decision in U. S. v. Martino, 648 F.2d 367 (5th Cir. 1981) pursuant to the provisions of 28 U.S.C. § 1915 and Rule 46 of the Rules of the Supreme Court.

Petitioner Rosario Palermo is represented by C. Steven Yerrid, who was appointed counsel by the United States District Court for the Middle District of Florida pursuant to the Criminal Justice Act of 1964, as amended, 18 U.S.C. § 3006 and 18 U.S.C. § 3006A. Pursuant to Supreme Court Rule 46, Petitioner is not filing an affidavit with this motion.

Leave to proceed in forma pauperis was not sought by Petitioner in the courts below.

Petitioner is entitled to redress by Petition for Writ of Certiorari to the United States Supreme Court, and his petition presents substantial questions. He is seeking relief from his conviction under the RICO statute, 18 U.S.C. § 1961 et seq.

Petitioner's Petition for Writ of Certiorari is being filed with this motion.

C. Steven Yerrid
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610 North Florida Avenue
Tampa, Florida 33601
(813) 223-1621

Counsel for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion for Leave to Proceed in Forma Pauperis was furnished by U. S. Mail delivery by depositing it in the U.S. Post Office at 5201 Spruce Street, Tampa, Florida, with first class postage prepaid, addressed to all counsel of record listed below, pursuant to Supreme Court Rule 28, this 10th day of December, 1981.

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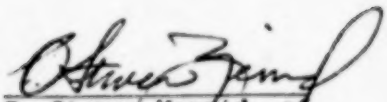

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